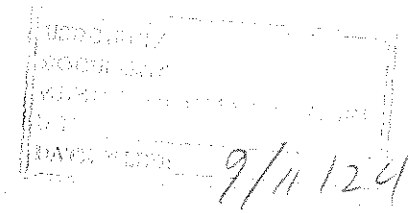


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



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UNITED STATES OF AMERICA

- v. -

RICHARD ZEITLIN,

Defendant.
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CONSENT PRELIMINARY ORDER
OF FORFEITURE/
MONEY JUDGMENT

23 Cr. 419 (LAK)

WHEREAS, on or about August 15, 2023, RICHARD ZEITLIN (the “Defendant”), was charged in a four-count Sealed Indictment, 23 Cr. 419 (LAK) (the “Indictment”), with conspiracy to commit wire fraud, in violation of Title 18, United States Code, Sections 1349 and 2326 (Count One); wire fraud, in violation of Title 18, United States Code, Sections 1343, 2326, and 2 (Count Two); conspiracy to obstruct justice, in violation of Title 18, United States Code, Section 1512(c) and (k) (Count Three); and obstruction of justice, in violation of Title 18, United States Code, Sections 1512(c) and 2 (Count Four);

WHEREAS, the Indictment included a forfeiture allegation as to Counts One and Two of the Indictment, seeking forfeiture to the United States, pursuant to Title 18, United States Code, Sections 982(a)(8) and 2328, of any and all real or personal property used or intended to be used to commit, to facilitate, or to promote the commission of the offenses charged in Counts One and Two of the Indictment, and any and all real or personal property constituting, derived from, or traceable to the gross proceeds that the Defendant obtained directly or indirectly as a result of the offenses charged in Counts One and Two of the Indictment, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of the offenses charged in Counts One and Two of the Indictment, and any equipment, software,

or other technology used or intended to be used to commit or to facilitate the commission of the offenses charged in Counts One and Two of the Indictment;

WHEREAS, on or about September 10, 2024, the Defendant pled guilty to Count One of the Indictment, pursuant to a plea agreement with the Government, wherein the Defendant admitted the forfeiture allegation with respect to Count One of the Indictment and agreed to forfeit to the United States, pursuant to Title 18, United States Code, Section 982(a)(8), a sum of money equal to \$8,906,760.00 in United States currency, representing proceeds traceable to the commission of the offense charged in Count One of the Indictment;

WHEREAS, the Defendant consents to the entry of a money judgment in the amount of \$8,906,760.00 in United States currency, representing the amount of proceeds traceable to the offense charged in Count One of the Indictment that the Defendant personally obtained; and

WHEREAS, the Defendant admits that, as a result of acts and/or omissions of the Defendant, the proceeds traceable to the offense charged in Count One of the Indictment that the Defendant personally obtained cannot be located upon the exercise of due diligence.

IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, by its attorney Damian Williams, United States Attorney, Assistant United States Attorneys Emily Deininger, Rebecca T. Dell, and Jane Kim, of counsel, and the Defendant and his counsel, Robert G. Bernhoft, Daniel J. Treuden, and Joshua Dratel, Esqs., that:

1. As a result of the offense charged in Count One of the Indictment, to which the Defendant pled guilty, a money judgment in the amount of \$8,906,760.00 in United States currency (the "Money Judgment"), representing the amount of proceeds traceable to the offense charged in Count One of the Indictment that the Defendant personally obtained, shall be entered against the Defendant.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Consent Preliminary Order of Forfeiture/Money Judgment is final as to the Defendant RICHARD ZEITLIN, and shall be deemed part of the sentence of the Defendant, and shall be included in the judgment of conviction therewith.

3. All payments on the outstanding money judgment shall be made by postal money order, bank or certified check, made payable, in this instance, to the United States Marshals Service, and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Illicit Finance and Money Laundering Unit, 26 Federal Plaza, 38th Floor, New York, New York 10278 and shall indicate the Defendant's name and case number.

4. The United States Marshals Service is authorized to deposit the payments on the Money Judgment into the Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

5. Pursuant to Title 21, United States Code, Section 853(p), the United States is authorized to seek forfeiture of substitute assets of the Defendant up to the uncollected amount of the Money Judgment.

6. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas.

7. The Court shall retain jurisdiction to enforce this Consent Preliminary Order of Forfeiture/Money Judgment, and to amend it as necessary, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.

8. The signature page of this Consent Preliminary Order of Forfeiture/Money Judgment may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

AGREED AND CONSENTED TO:

DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York

By: 

EMILY DEININGER
REBECCA T. DELL
JANE KIM
Assistant United States Attorneys
26 Federal Plaza
New York, NY 10278
(212) 637-2472 / 2198 / 2038

9/10/2024
DATE

RICHARD ZEITLIN

By: 

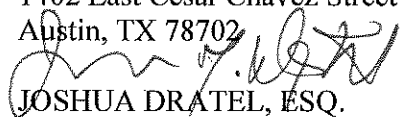
RICHARD ZEITLIN

9/10/24
DATE


By: 

ROBERT G. BERNHOFT, ESQ.
DANIEL J. TREUDEN, ESQ.
Attorneys for Defendant
1402 East Cesar Chavez Street
Austin, TX 78702

9-10-24
DATE


JOSHUA DRATEL, ESQ.
Attorney for Defendant
29 Broadway, Suite 1412
New York, NY 10006

SO ORDERED:


HONORABLE LEWIS A. KAPLAN
UNITED STATES DISTRICT JUDGE

9/10/24
DATE